IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1089 OF 2006

Shri Shivaji Dashrath Gaikwad .. Petitioner.

V/s.

The State of Maharashtra & Ors. ..Respondents.

Mr. N.N. Gawankar with Arfan Sait for the Petitioner.

Dr. F.R. Shaikh, APP for the Respondent-State.

CORAM : D. G. DESHPANDE
S. A. BOBDE, JJ.

DATED : 11TH AUGUST, 2006.

P.C.:

1. This petition is filed by the petitioner, who has been convicted and sentenced to suffer R.I. for life. His application for parole was rejected on the ground that when he was earlier released on parole, he surrendered late by 209 days. This aspect of the matter i.e. accused's surrendering late after releasing on parole or furlough or the accused being brought to jail through an agency of the police, has been considered by this court (Coram:D.K.Deshpande & Smt.V.K.Tahilramani, JJ.) in Writ Petition No.1624 of 2004, decided on 28.06.2006 and the directions have been given to the Jail Authority or Authorities to consider the applications for parole or furlough. In view of this

judgment, this petition is disposed of.

2. The petitioner may apply to the jail authorities again for furlough or parole, whatever he desires, and his application be decided by the concerned jail authority in the light of the directions given by this court i.e. referred to above, in the judgment/ order dated 28.06.2006 passed in writ petition No.1624/2006. Copies of which have already been ordered to be circulated by the office to those authorities.

3. The petition is disposed of in the above terms.

(D.G.DESHPANDE,J)

(S.A. BOBDE, J)

.....